

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Alfred Seabrook,)	
)	
Plaintiff,)	
)	Civil Action No. 6:14-2475-TMC-KFM
v.)	
)	ORDER
Carolyn W. Colvin, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

Plaintiff, Alfred Seabrook, brought this action under 42 U.S.C. § 405(g) and 1383(c)(3), seeking judicial review of a final decision of the Commissioner of Social Security (“Commissioner”) denying his claim for disability insurance benefits and supplemental security income benefits under the Social Security Act. (ECF No. 1). In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge’s Report and Recommendation (“Report”), recommending that the Commissioner’s motion to dismiss (ECF No. 22) be denied, and the case be allowed to proceed on the merits. Plaintiff has not filed any objections to the Report. On August 28, 2015, the Commissioner filed a notice of her intent not to file any objections to the Report. (ECF No. 27).

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to

accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough and careful review of the record, the court adopts the Report and incorporates it herein by reference. The Commissioner’s motion to dismiss (ECF No. 22) is **DENIED**, and the case shall proceed on the merits.

IT IS SO ORDERED.

s/Timothy M. Cain
Timothy M. Cain
United States District Judge

Anderson, South Carolina
September 2, 2015